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3 FAIR POLITICAL PRACTICES COMMISSION
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6

7 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
8 STATE OF CALIFORNIA
9

10 In the Matter of)	FPPC No.: 02/432
)	
11)	
12 CHRIS NORBY, NORBY FOR)	STIPULATION, DECISION and
SUPERVISOR, and MICHAEL)	ORDER
13 DI COSTANZO,)	
)	
14)	
Respondents.)	
15)	
)	

17 Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission, and
18 Respondents Chris Norby, Norby for Supervisor, and Michael DiCostanzo hereby agree that this
19 stipulation will be submitted for consideration by the Fair Political Practices Commission at its next
20 regularly scheduled meeting.

21 The parties agree to enter into this stipulation to resolve all factual and legal issues raised by this
22 matter and to reach a final disposition without the necessity of holding an administrative hearing to
23 determine the liability of Respondents.

24 Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural
25 rights set forth in sections 83115.5, 11503, and 11523 of the Government Code, and in sections 18361.1
26 through 18361.9 of title 2 of the California Code of Regulations. This includes, but is not limited to, the
27 right to personally appear at any administrative hearing held in this matter, to be represented by an
28 attorney at Respondents' own expense, to confront and cross-examine all witnesses testifying at the

1 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge
2 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

3 It is further stipulated and agreed that Respondents Chris Norby, Norby for Supervisor, and
4 Michael DiCostanzo violated the Political Reform Act by failing to disclose occupation and employer
5 information for contributions of \$100 or more, in violation of section 84211, subdivision (f) of the
6 Government Code (2 counts); and by failing to return contributions within 60 days of receipt for which
7 they did not have occupation and employer information, in violation of section 85700 of the
8 Government Code (2 counts); as described in Exhibit 1. Exhibit 1 is attached hereto and incorporated by
9 reference as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this
10 matter.

11 Respondents agree to the issuance of the decision and order, which is attached hereto.
12 Respondents also agree to the Commission imposing upon them an administrative penalty in the amount
13 of Ten Thousand Dollars (\$10,000). A cashier's check from Respondents in said amount, made payable
14 to the "General Fund of the State of California," is submitted with this stipulation as full payment of the
15 administrative penalty, and shall be held by the State of California until the Commission issues its
16 decision and order regarding this matter. The parties agree that in the event the Commission refuses to
17 accept this stipulation, it shall become null and void, and within fifteen (15) business days after the
18 Commission meeting at which the stipulation is rejected, all payments tendered by Respondents in
19 connection with this stipulation shall be reimbursed to Respondents. Respondents further stipulate and
20 agree that in the event the Commission rejects the stipulation and a full evidentiary hearing before the
21 Commission becomes necessary, neither any member of the Commission, nor the Executive Director,
22 shall be disqualified because of prior consideration of this stipulation.

23 Dated: _____

Mark Krausse, Executive Director
Fair Political Practices Commission

26
27 Dated: _____

Chris Norby, individually and on behalf of
Norby for Supervisor, Respondents

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2
3 Dated: _____

Michael DiCostanzo, Respondent

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6 Dated: _____

Darryl R. Wold, attorney for Respondents

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8
9 **DECISION AND ORDER**

10 The foregoing stipulation of the parties “In the Matter of Chris Norby, Norby for Supervisor, and
11 Michael Di Costanzo, FPPC No. 02/432,” including all attached exhibits, is hereby accepted as the final
12 decision and order of the Fair Political Practices Commission, effective upon execution below by the
13 Chairman.

14
15 IT IS SO ORDERED.

16
17
18 Dated: _____

Liane M. Randolph, Chairman
Fair Political Practices Commission